

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Guy FALARDEAU et al

Application No.: New Application

Filed: December 26, 2001

Attorney Dkt. No.: 108184-00016

For: MACROCYCLIC ANTI-VIRAL COMPOUNDS

PRELIMINARY AMENDMENT

Commissioner for Patents

Washington, D.C. 20231

December 26, 2001

Sir:

Prior to calculation of the filing fee and prior to the examination of this application, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please amend the specification by inserting before the first line the sentence

--This nonprovisional application claims the benefit of U.S. Provisional Application No.

60/258,007, filed December 27, 2000. --

IN THE CLAIMS:

Please amend the following claims:

10. (amended) A method according to claim 1, wherein R₃ and R₄ is H and R₂ and R'₂ is H.

22. (amended) A pharmaceutical composition for treating or preventing viral infection selected from the group consisting of cytomegalovirus (CMV), herpes simplex

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virus (HSV), influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and varicella zoster virus (VZV) comprising at least one compound as defined in claim 11 together with at least one pharmaceutically acceptable carrier or excipient.

31. (amended) A compound according to claim 23, wherein R₃ and R₄ is H and R₂ and R'₂ is H.

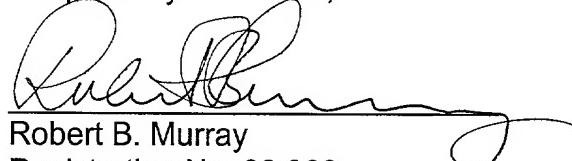
35. (amended) The use of a compound according to formula (I) as defined in claim 23 for the manufacture of a medicament for treating or preventing a viral infection selected from the group consisting of cytomegalovirus (CMV), herpes simplex virus (HSV), influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and varicella zoster virus (VZV).

REMARKS

The above amendment to the claims has been made to correct the multiple dependency of the claims and to put the application in better condition for examination.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300.

Respectfully submitted,



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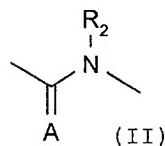
C=O and CHR₄.

4. A method according to claim 1, wherein T is C₁₋₆ alkyl
optionally substituted with a saturated or unsaturated
5 C₃₋₁₀ (carbocycle or heterocycle).

5. A method according to claim 1, wherein T' is C₁₋₆ alkyl
optionally substituted with a saturated or unsaturated
C₃₋₁₀ (carbocycle or heterocycle).

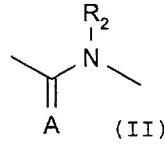
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6. A method according to claim 1, wherein B is



7. A method according to claim 1, wherein B is

15



and A is O.

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8. A method according to claim 7, wherein T is methyl
optionally substituted with a phenyl and Q is O and T'
is allyl and Q¹ is a bond.

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9. A method according to claim 7, wherein T is methyl
optionally substituted with a phenyl and Q is O and T'
is methyl optionally substituted with a phenyl and Q¹ is
a bond.

Claim 1

10. A method according to [any one claim 1 to 9], wherein R₃
and R₄ is H and R₂ and R'₂ is H.

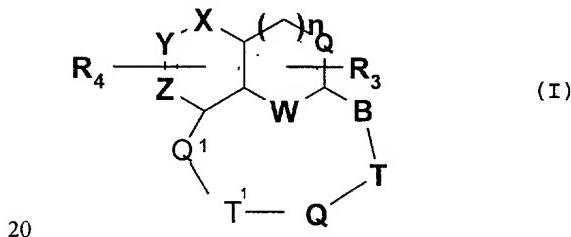
halo-substituted C₁₋₄ alkyl or halo-substituted C₁₋₄ alkoxy,

C₁₋₄ alkyl, C₁₋₄ alkoxy or C₁₋₄ carboxy;

5 R₅ is H, C₁₋₆ alkyl or C₁₋₆ acyl optionally substituted
with OH, halogen, amino or C₁₋₄ alkoxy; and
n is 0, 1, 2 or 3.

22.A pharmaceutical composition for treating or preventing
10 viral infection selected from the group consisting of
cytomegalovirus (CMV), herpes simplex virus (HSV),
influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and
varicella zoster virus (VZV) comprising at least one
15 compound as defined in [anyone of] claims [11, 12 and 13]
together with at least one pharmaceutically acceptable
carrier or excipient.

23.A compound of formula (I) and pharmaceutical acceptable
salts thereof:



wherein, B is

C_{1-4} alkyl, C_{1-4} alkoxy or C_{1-4} carboxy;

R_5 is H, C_{1-6} alkyl or C_{1-6} acyl optionally substituted with OH, halogen, amino or C_{1-4} alkoxy; and
5 n is 0, 1, 2 or 3.

24.A compound according to claim 23, wherein W is N or NR_5 .

25.A compound according to claim 23, wherein Y is N or NR_5
10 and X and Y are independently selected from CH, CR_4 ,
 CH_2 , C=O and CHR_4 .

26.A compound according to claim 23, wherein T is C_{1-6} alkyl
optionally substituted with a saturated or unsaturated
15 C_{3-10} (carbocycle or heterocycle).

27.A compound according to claim 23, wherein T^1 is C_{1-6}
alkyl optionally substituted with a saturated or
unsaturated C_{3-10} (carbocycle or heterocycle).

20 28.A compound according to claim 23, wherein A is O.

29.A compound according to claim 23, wherein A is O and T
is methyl optionally substituted with a phenyl and Q is
25 O and T^1 is allyl and Q^1 is a bond.

30.A compound according to claim 23, wherein A is O and T
is methyl optionally substituted with a phenyl and Q is
O and T^1 is methyl optionally substituted with a phenyl
30 and Q^1 is a bond.

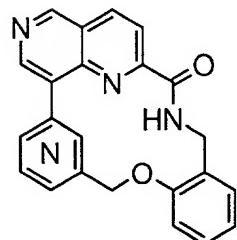
Claim 23

31.A compound according to any one claims 23 to 30,
wherein R_3 and R_4 is H and R_2 and R'^2 is H.

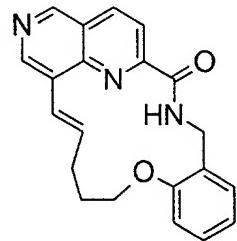
32.The compound of claim 23 wherein the compound of
formula I is



33.The compound of claim 23 wherein the compound of
5 formula is



34.The compound of claim 23 wherein the compound of
10 formula is



35.The use of a compound according to formula (I) as
defined in ^{Claim 23} [anyone of claims 23 to 34] for the manufacture
of a medicament for treating or preventing a viral
15 infection selected from the group consisting of
cytomegalovirus (CMV), herpes simplex virus (HSV),
influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and
varicella zoster virus (VZV).